

SA 1568. Mrs. HUTCHISON submitted an amendment intended to be proposed by her to the bill S. 1813, to reauthorize Federal-aid highway and highway safety construction programs, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle E of title I, add the following:

SEC. 15. FREEDOM FROM TOLLS.

(a) IN GENERAL.—Section 129 of title 23, United States Code, is amended by adding at the end the following:

“(d) EXCEPTION FOR EXISTING HIGHWAY SEGMENTS.—

“(1) IN GENERAL.—Except as provided in paragraph (2), none of the funds made available to carry out this title shall be used to approve or otherwise authorize the imposition of any toll on any segment of highway located on the Federal-aid system—

“(A) the construction of which has been completed as of the date of enactment of this subsection;

“(B) that, as of the date of enactment of this subsection, is not tolled;

“(C) that was constructed with Federal assistance provided under this title; and

“(D) that is in actual operation as of the date of enactment of this subsection.

“(2) EXCEPTIONS.—

“(A) NUMBER OF TOLL LANES.—Paragraph (1) shall not apply to any segment of highway on the Federal-aid system described in that paragraph that, as of the date on which a toll is imposed on the segment, will have the same number of nontoll lanes as were in existence prior to that date.

“(B) HIGH-OCCUPANCY VEHICLE LANES.—A high-occupancy vehicle lane that is converted to a toll lane shall not be subject to this subsection, and shall not be considered to be a nontoll lane for purposes of determining whether a highway will have fewer nontoll lanes than prior to the date of imposition of the toll, if—

“(i) high-occupancy vehicles occupied by the number of passengers specified by the entity operating the toll lane may use the toll lane without paying a toll, unless otherwise specified by the appropriate county, town, municipal or other local government entity, or public toll road or transit authority; or

“(ii) each high-occupancy vehicle lane that was converted to a toll lane was constructed as a temporary lane to be replaced by a toll lane under a plan approved by the appropriate county, town, municipal or other local government entity, or public toll road or transit authority.”

(b) INTERSTATE SYSTEM RECONSTRUCTION AND REHABILITATION PILOT PROGRAM.—Section 1216(b)(2) of the Transportation Equity Act for the 21st Century (23 U.S.C. 129 note; 112 Stat. 212) is amended by striking “3 facilities” and inserting “2 facilities”.

PROVIDING THE QUILEUTE INDIAN TRIBE TSUNAMI AND FLOOD PROTECTION

Ms. CANTWELL. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of H.R. 1162, which is at the desk.

The PRESIDING OFFICER. The clerk will report the bill by title.

The legislative clerk read as follows:

A bill (H.R. 1162) to provide the Quileute Indian Tribe Tsunami and Flood Protection, and for other purposes.

There being no objection, the Senate proceeded to consider the bill.

Ms. CANTWELL. Mr. President, I ask unanimous consent that the bill be

read three times and passed, the motion to reconsider be laid upon the table, with no intervening action or debate, and that any statements relating to the bill be printed in the RECORD.

The PRESIDING OFFICER. Without objection, it is so ordered.

The bill (H.R. 1162) was ordered to a third reading, was read the third time, and passed.

Ms. CANTWELL. Mr. President, for decades the Quileute Tribe in the Pacific Northwest has waited for a chance to move out of the tsunami zone they are in and to safety.

Every day 80 students go to a school in a schoolhouse that is just 1 foot above sea level, and every day they look directly out the window at the roaring waves of the powerful ocean and wonder when they can move to safer, higher ground.

When the tragic tsunami hit Japan last March and when a recent earthquake in just the last few weeks hit off Vancouver Island, it sent another urgent message, a wake-up call to hurry to get this legislation passed through Congress. The Department of the Interior, which endorsed this legislation, said the tsunami “clearly demonstrates the risk for the tribe and its citizens, and the need to move housing and infrastructure inland.”

Now, with the 1-year anniversary of this tragedy less than 1 month away, we have finally done our job. With the passage of this bill tonight, the Quileute Tribe can finally begin to move out of the flood zone. I thank Congressman NORM DICKS for his help in making this a reality.

The Quileute Tribe has been struggling with the natural perils of this land since their reservation was created in 1889. The river that runs through the reservation has been moving constantly over the last century, causing more erosion and flooding problems. The one road that connects the lower village to the higher ground is often flooded, making it even more challenging to deal with this particular area in case of a tsunami.

The Quileute struggle to move out of the flood zone has gone on for many years, but tonight, with the passage of this legislation, the Quileute Tribe can now move to higher grounds and a safer means to provide for their members. This is an important victory to give the Quileute Tribe and those on the reservation peace of mind.

I thank Senator BARRASSO and Senator AKAKA for helping this legislation move out of the Indian Affairs Committee and Senator BINGAMAN and Senator MURKOWSKI for helping it move out of the ENR Committee. To the tribal chairs—Bonita Cleveland and now Tony Foster—thank you for coming to Washington, DC, and explaining how important this legislation is. I also thank the National Park Service and the National Park Service Director. Thank you for your help in getting this legislation passed. I also thank Senator MURRAY for her cosponsorship of this important legislation.

It is important in times such as these that Congress does act, that we break gridlock and move forward. For the Quileute Tribe—a tribe that gained much national notoriety in a recent movie series—what is really important is not that notoriety but the fact that today people have come together to help them move to safer grounds.

**ORDERS FOR TUESDAY,
FEBRUARY 14, 2012**

Ms. CANTWELL. Mr. President, I ask unanimous consent that the Senate adjourn until 10 a.m. on Tuesday, February 14, 2012; that following the prayer and pledge, the Journal of proceedings be approved to date, the morning hour be deemed expired, and the time for the two leaders be reserved for their use later in the day; that following any leader remarks, the Senate be in a period of morning business for 1 hour, with Senators permitted to speak therein for up to 10 minutes each, with the time equally divided and controlled between the two leaders or their designees, with the majority controlling the first half and the Republicans controlling the final half; that following morning business, the Senate proceed to executive session and resume consideration of the Jordan nomination postcloture; further, that the Senate recess from 12:30 p.m. to 2:15 p.m. to allow for the weekly caucus meetings; and finally, that all time during adjournment, morning business, and recess count postcloture.

The PRESIDING OFFICER. Without objection, it is so ordered.

PROGRAM

Ms. CANTWELL. Mr. President, for the information of Members, tomorrow we expect to confirm the Jordan nomination and also resume consideration of the infrastructure bill. Senators will be notified when any votes are scheduled.

**ADJOURNMENT UNTIL 10 A.M.
TOMORROW**

Ms. CANTWELL. Mr. President, if there is no further business to come before the Senate, I ask unanimous consent that it adjourn under the previous order.

There being no objection, the Senate, at 7:15 p.m., adjourned until Tuesday, February 14, 2012, at 10 a.m.

NOMINATIONS

Executive nominations received by the Senate:

DEPARTMENT OF DEFENSE

KATHARINA G. MCFARLAND, OF VIRGINIA, TO BE AN ASSISTANT SECRETARY OF DEFENSE. (NEW POSITION)

FEDERAL MARITIME COMMISSION

RICHARD A. LIDINSKY, JR., OF MARYLAND, TO BE A FEDERAL MARITIME COMMISSIONER FOR THE TERM EXPIRING JUNE 30, 2017. (REAPPOINTMENT)

WILLIAM P. DOYLE, OF PENNSYLVANIA, TO BE A FEDERAL MARITIME COMMISSIONER FOR THE TERM EXPIRING JUNE 30, 2013. VICE JOSEPH E. BRENNAN, TERM EXPIRED.